

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

SUSAN MARIE OGUGUO,

Defendant-Appellant.

UNPUBLISHED

August 28, 2003

No. 239730

Oakland Circuit Court

LC No. 01-176722-FH

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Defendant appeals as of right her jury conviction for possession with intent to deliver more than 50, but less than 225, grams of cocaine, MCL 333.7401(2)(a)(iii), and felony-firearm, MCL 750.227b. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

On appeal, defendant argues that the trial court erred in denying her motion to suppress. A trial court's factual findings in a suppression hearing are reviewed for clear error, while constitutional questions relevant to the suppression hearing are reviewed de novo. *People v Custer (On Remand)*, 248 Mich App 552, 558-559; 640 NW2d 576 (2001).

Police officers came to defendant's residence to investigate allegations of prostitution. They entered an unlocked, enclosed front porch to reach the front door. Through a two-inch gap in the window blinds, they observed defendant weighing and packaging a white powder substance.

The officers were properly on the defendant's front porch when they made their observations. Entering the private property of another is not an offense unless one has been forbidden to so. *Id.*, 561. Because the blinds were not drawn, the defendant had no actual, subjective expectation of privacy in the contents of the room. *Id.* The trial court properly found that the officers did not invade defendant's privacy expectations, and her Fourth Amendment rights were not violated. *Id.*, 562.

Affirmed.

/s/ Jane E. Markey
/s/ Mark J. Cavanagh
/s/ Henry William Saad